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09/705,578	11/03/2000	Valentin Panayotov	LUC-731US	6661

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 09/705,578
Filing Date: November 03, 2000
Appellant(s): PANAYOTOV, VALENTIN

MAILED

OCT 2 0 2006

Technology Center 2100

Valentin Panayotov
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 02/27/06 appealing from the Office action mailed 09/19/2005.

(1)   Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,6,71,700   Creemer et al   06-2003

6,633,924   Wu et al   10-2003

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Creemer et al

hereinafter Creemer (US 6, 6717,000) in view Wu et al, hereinafter Wu (US 6,633,924)

1. Referring to Claims 1, 2, 3, and 7, Creemer discloses a computing system (50, refer to Fig 2)

for exchanging data (refer to Col 1, Lines 50-55) between a first (host computer) and second

computer (a peripheral computer) application (refer to Col 2, Lines 1-10 and 115 and 155 in Fig

8 and Col 7, Lines 1-67) of the system (refer to Abstract), comprising: a computer application

data file (appointment books applications inherently consists data files, refer to Col 2, Lines 1-5)

for receiving data from the first computer application (refer to Col 3, Lines 20-45), application

data file has received data from the first computer application (refer to Col 2, Lines 15-18);

Creemer discloses the second computer (palmtop, refer to Col 2, Lines 15-25) to response to its

request for information. Creemer discloses the conduits initiate the transfer information request

(refer to Col 3, Lines 1-20). Creemer also indicates when the system read the information on

another computer (1225, refer to Fig 12 and display information for the user, refer to Col 6,

Lines 28-45). Creemer discloses the two ways communication between systems (refer to Col 6,

Lines 10-30) and synchronization between two system (refer to Fig 8, Examiner interprets

synchronization and two way communication as indication for information to travel bi-

directional), Creemer indicates monitoring another system by discover the different data in

another computer's database (1240, refer to Fig 12). Creemer discloses writing data of the

second computer application to a second computer application data file (refer to Col 5, Lines 40-

51); Creemer discloses writing data of the first computer application to a first computer

application data file. (Host computer (first computer application) synchronized with the second

computer (palmtop database) database, in another word, the first computer writes data onto its

application by synchronization, refer to Col 7, Lines 45-67) Creemer further replace, process,

compute, or display (write, refer to Col 4, Lines 55-67) data files (it is inherent that the database

consists numerous data files, 1250, refer to Fig 12)

Creemer does not expressly disclose the computer systems receive notification and

Wu indicates the handles (notification) is received to computer system when 1) data has been

changed for since last synchronization (Examiner interprets the modification as read/write

function within computer system, refer to abstract and Col 11, Lines 15-35). 2) if there is no

current communication are established. 3) when synchronization has been completed

(monitoring, and received data, refer to Col 10, Lines 8-21). 4) whenever the communication has

been established between the computer systems (refer to Col 11, Lines 15-35 and Col 13, Lines

5-10).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to

combine Creemer and Wu's invention. The suggestion/motivation for doing so would have been

that Creemer indicates the flow charts of how system determine the communication established

between two computer systems. (refer to Fig 10). The flows charts demonstrate the system is

monitoring when another system gain access (1030, read files, refer to Fig 10) across the

communication link, and how the synchronization occurs by updating the records when discover

the differences in the database (refer to 1035, Fig 10). Since Creemer discloses the computer

system is bi-directional (refer to Col 7, Lines 1-67 and Fig 8), it is obvious that the notification

request can occur in the second computer as well. By providing the notification, it is to ensure

the system has complete certain functionality.

2. Referring to Claims 4 and 8, Creemer discloses: initializing (established communication –

1210, refer to Fig 12 and Col 3, Lines 1-20) the contents of the first computer application read

(1225, refer to Fig 12) and send files prior to data exchange (1230, 1235 and 1240, refer to Fig

12) to enable overwriting of any content therein (1250, refer to Fig 12).

3. Referring to Claims 5 and 9, Creemer discloses wherein the computer system is a network

computer system (Examiner interprets the network computer system as at least two computer

connected together, refer to Fig 2 and Col 5, Lines 5-40).

4. Referring to Claims 6 and 10, Creemer discloses wherein the computer system (100, handhold

computer, refer to Fig 2) is a stand-alone computer system.

(10) Response to Argument

The examiner summarizes the various points raised by the appellant and addresses replies

individually.

Appllellant argued that:

1) The office action failed to meet one or more criteria for the proper facie case of obviousness

due to insufficient motivation to combine Creemer and Wu.

2) Creemer and Wu fails to teach or suggest application programs reading from or writing to at

least a computer application data file.

In reply to argument (1): Both Creemer and Wu are in the same field of endeavor. Both are to

synchronizing data from one to the other devices.

(2) It is indicated in Wu that to synchronize object, it is when the object being created or

modified (read and write) on either the desktop computer and portable information devices (first

and second computer).

Creemer disclosed a computer application data file for receiving data from the first computer

application (refer to appointment books applications inherently consists data files, refer to Col 2,

Lines 1-5);

So, limitation in Wu disclosed satisfied the deficiency of Creemer, such that:

a computer application send file for receiving notification when the computer application data

file has received from the first computer application (bit is reset when notification is being

received, refer to Col 10, Lines 19-25);

a computer application read file (desktop computer) for receiving notification when data has

been read from the computer application data file by the second computer application (laptop

computer, the Synchronization manager 82 needs to monitor for notification in order to

determine if a list of handle/notification is obtained, refer to Col 8, Lines 15-45), the first

computer application monitoring the computer application read file for notification from the

second computer application to initiate further writing to the computer application data file (Wu

teaches synchronization manager 82 monitor the notification/handles from another application

H/PC before synchronization to initiate writing).

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related

Appeals and Interferences section of this examiner's answer.

(12) Conclusion

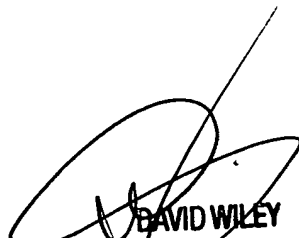For the above reasons, it is believed that the rejections should be sustained.

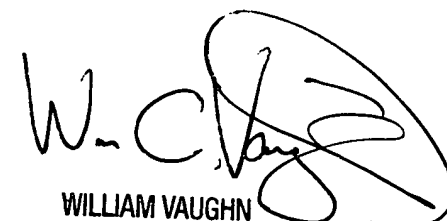Respectfully submitted,

Karen Tang

10/11/06

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